

Minute Action

AGENDA ITEM: 22

Date: June 3, 2009

Subject: SANBAG 2009/2010 Proposed Budget

- Recommendation:** *
1. Conduct the Public Hearing on the Proposed 2009/2010 SANBAG Budget.
 2. Replace page 31 of the SANBAG Budget document with the revised attachment.
 3. Adopt the SANBAG Fiscal Year 2009/2010 Budget with the following amendments:
 - a. Amend Task No. 10210000, Air Quality Activities, to increase the task amount by \$19,299 from \$51,346 to \$70,645 for salaries, fringe allocation and indirect allocation.
 - b. Amend Task No. 11010000, Regional Transportation Planning, to decrease the task amount by \$4,981 from \$98,624 to \$93,643 for salaries, fringe allocation and indirect allocation.
 - c. Amend Task No. 11110000, Freight Movement Planning, to decrease the task amount by \$2,179 from \$113,637 to \$111,458 for salaries, fringe allocation, indirect allocation and travel..
 - d. Amend Task No. 11210000, Growth Forecasting & Planning, to decrease the task amount by \$2,180 from \$114,308 to \$112,128 for salaries, fringe allocation, indirect allocation and professional services.
 - e. Amend Task No. 40410000, Subregional Transportation Planning, to decrease the task amount by \$9,959 from \$182,403 to \$172,444 for salaries, fringe allocation and indirect allocation.

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*Approved
Board of Directors*

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

f. Amend Task No. 50010000, Transportation Improvement Program, to increase the task amount by \$4,172 from \$213,437 to \$217,609 due to a recalculation of the indirect allocation.

Background:

The SANBAG Fiscal Year 2009/2010 proposed budget has been developed in accordance with the schedule adopted by the Board of Directors on February 4, 2009. The proposed budget documents were distributed to the members of the Board of Directors at the May 6, 2009 meeting. This meeting will serve as an opportunity for a final Board of Directors' workshop review of the proposed budget prior to the scheduled adoption on June 3, 2009.

Task level budget development has been completed relative to all of the activities included in the Fiscal Year 2009/2010 budget. SANBAG's budget process is structured to provide for the maximum level of input from SANBAG policy committees. Each policy committee has reviewed the tasks that relate to the functional areas of committee oversight and each task has been reviewed by **at least one** of the policy committees.

SANBAG's budget process began with a review of the Board of Director's direction as it relates to short term goals and how it integrates with long term goals and objectives. Simultaneous with this review, staff analyzes available resources.

SANBAG develops a program based budget which is adopted with funding source detail. The modified accrual basis (where revenues are recognized when received and available to meet current year obligations) is the basis for the 2009/2010 budget. The Budget Summary shows the anticipated revenues and expenditures for new activity for the upcoming fiscal year.

Page 31 of the 2009/2010 SANBAG Budget document should be replaced with the revised Page 31 (attached). This attachment includes a revision to the formula for calculating the estimated revenue for Measure 2010-2040. Revisions were also made to the alignment of the Measure I categories with the correct estimated revenue amounts. Please note, the estimated total revenue for Measure I remains \$117,865,841.

For amendments a-e, staffing hours, including corresponding fringe and indirect allocations, were reallocated from Task No. 11010000, 11110000, 11210000, and 40410000 to Task No. 10210000. This did not result in any increase in requested budget. For amendment f, due to a recalculation of the indirect allocation, staff is

requesting additional budget authority for Task 50010000 in the amount of \$4,172.

Financial Impact: The 2009/2010 proposed budget, with amendments, totals \$294,411,736 for new budget activity and \$93,040,011 in estimated encumbrances. The total budget of \$387,451,747 will establish the work program and financial approvals to guide the organization throughout the coming fiscal year.

Reviewed By: This item was reviewed by the Administrative Committee on May 13, 2009 and unanimously recommended for approval.

Responsible Staff: William Stawarski, Chief Financial Officer

Category of Revenues Continued... ..

Category of Revenue	Actual FY 2007/2008	Budget As of 2/4/09	Estimate FY 2009/2010
Measure I 1990-2010			
Administration	1,408,021	1,417,179	883,994
Mountain/Desert Local Pass-Through	24,647,392	22,317,123	15,752,770
<i>Measure I 1990-2010 Valley</i>			
Major Projects	61,377,977	61,211,158	38,034,187
Arterial	13,345,034	13,710,539	8,611,514
Commuter Rail	8,892,864	9,136,490	5,741,009
Elderly/Disabled Transit	6,666,780	6,849,465	4,305,757
Traffic Management Environmental Enhancement	2,226,085	2,287,024	1,435,252
Local Pass-Through	22,237,899	20,926,830	13,634,897
Sub-Total Measure I 1990-2010	140,802,052	137,855,808	88,399,380
Measure I 2010-2040			
Administration	0	0	294,665
Cajon Pass	0	0	809,553
<i>Measure I Valley – 2010-2040</i>			
Freeway Projectss	0	0	6,497,913
Freeway Interchange Projects	0	0	2,464,726
Major Street Projects	0	0	4,481,320
Metrolink /Rail Service	0	0	1,792,258
Senior/Disabled Transit	0	0	1,792,258
Express Bus/Bus Rapid Transit Service	0	0	448,132
Traffic Management Systems	0	0	448,132
Local Street Projects/Pass-Through	0	0	4,481,320
<i>Measure I Mountain/Desert 2010-2040</i>			
Major Local Highway Projects	0	0	1,489,046
Senior/Disabled Transit	0	0	297,809
Project Development/Traffic Management (2%)	0	0	83,387
Local Street Projects/Pass-Through	0	0	4,085,942
Sub-Total Measure I 2010-2040	0	0	29,466,461
TOTAL REVENUES	\$287,813,849	\$349,728,564	\$291,396,887

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- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
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Minute Action

AGENDA ITEM: 23

Date: June 3, 2009

Subject: Contract No. 09-197 with Ron DeLaby for Call Box Recovery Services

Recommendation:* Approve Sole Source Contract No. 09-197, with Ron DeLaby, to provide recovery services for call box knockdowns throughout San Bernardino County from July 1, 2009 through June 30, 2012, in an amount not to exceed \$90,000.00, as outlined in the Financial Impact Section below.

Background: This is a new Sole Source Contract. The San Bernardino Service Authority for Freeway Emergencies (SAFE) operates approximately 1,400 call boxes on the freeways and highways in San Bernardino County. On average, 135 call boxes are knocked-down each year. The cost to repair each call box can be as high as \$4,000 per knockdown and this cost varies based upon the extent of the damage to each call box. In addition, given the recent upgrade of the call boxes with text capabilities (to assist deaf persons and persons that are speech/hearing impaired), the cost to replace or repair a damaged call box will continue to increase. Call boxes have a built in tilt alarm, and when activated, a notification is immediately sent to the California Highway Patrol (CHP). Because a knocked-down call box may indicate an accident with injuries, most often a CHP officer is dispatched to the scene and as a result, compiles a Traffic Collision Report. These reports are of great assistance in determining who exactly damaged the call box for the purpose of pursuing a recovery option. Sometimes CHP does not generate a report for knocked-down or damaged call boxes, because a tilt alarm was not activated (this happens when the box is hit severely and the tilt alarm did not have enough time to send the notification) and CHP never was dispatched to the scene or the driver was able to leave the incident site before CHP arrived.

*Approved
Board of Directors*

Date: June 3, 2009

Moved: Second:

In Favor: 0 Opposed: 0 Abstained: 0

Witnessed: _____

Many SAFEs do not attempt to recover the costs of knocked-down call boxes or attempt to recover funds from motorist/insurance companies. SAFEs that do recover funds, utilize Mr. DeLaby's expertise, or do so through their existing SAFE staff. Since the San Bernardino SAFE has limited Staff, and Staff does not have expertise in this arena, for the past 17 years, the SAFE has employed the services of a consultant who is familiar with law enforcement and who has worked in the area of insurance claims. Mr. Ron DeLaby is considered an expert in this field, as he holds a private investigators' license, is a retired Police Officer who worked for 20 years in the Inland Empire, has worked as an insurance claims' adjuster and is licensed in that field. Within the past five years Mr. DeLaby has recovered over \$350,000 for San Bernardino SAFE. Mr. DeLaby's contract is based on the terms that the SAFE reimburses Mr. DeLaby 33% of any funds recovered by the claim. If Mr. DeLaby does not recover any damages from the motorist or the insurance company, then the SAFE is not obligated to reimburse Mr. DeLaby for his time.

***Sole Source
Justification:***

Mr. DeLaby's current contract ends June 30, 2009. Staff recommends that a new Sole Source Agreement be executed and meets the SANBAG Sole Source Contracting requirements, because Mr. DeLaby:

1. has unique qualifications to perform this work for the agency,
2. has demonstrated experience with this and other agencies to complete this work, and
3. based on discussion with other SAFEs throughout California, there are no other known consultants that can perform this work, therefore there is a lack of competition for this unique type of work.

Mr. DeLaby has performed outstanding services in this area for the past 17 years. Therefore, Staff recommends that the Board approve a new three-year contract, with an option to extend the contract at the discretion of the SAFE for a two-year period, as outlined in Attachment A.

Financial Impact:

Funds have been budgeted in the Fiscal Year 2009/2010 Budget, in an amount of \$30,000. Funding Source Department of Motor Vehicle Revenue. TN 70210000. Funding for future year contracts will be budgeted accordingly.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on May 20, 2009. This item has been reviewed as to form by SAFE Legal Counsel.

Responsible Staff:

Michelle Kirkhoff, Director of Air Quality/Mobility Programs

SANBAG Contract No. 09-197

by and between

San Bernardino Service Authority for Freeway Emergencies

and

Ron C. DeLaby

for

Call Box Recovery Services**FOR ACCOUNTING PURPOSES ONLY**

<input checked="" type="checkbox"/> Payable	Vendor Contract # _____	Retention:	<input checked="" type="checkbox"/> Original
<input type="checkbox"/> Receivable	Vendor ID <u>PG3</u>	<input type="checkbox"/> Yes _____ % <input checked="" type="checkbox"/> No	<input type="checkbox"/> Amendment

Notes:

Original Contract:	\$ <u>90,000.00</u>	Previous Amendments Total:	\$ _____
Contingency Amount:	\$ _____	Previous Amendments Contingency Total:	\$ _____
		Current Amendment:	\$ _____
		Current Amendment Contingency:	\$ _____

Contingency Amount requires specific authorization by Task Manager prior to release.

Contract TOTAL → \$ 90,000.00

↓ Please include funding allocation for the original contract or the amendment.

Task	Cost Code	Funding Sources	Grant ID	Amounts
702	5553	DMV	0960	\$ <u>90,000</u>
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____

Original Board Approved Contract Date: <u>6/3/09</u>	Contract Start: <u>7/1/09</u>	Contract End: <u>6/30/12</u>
New Amend. Approval (Board) Date: _____	Amend. Start: _____	Amend. End: _____

If this is a multi-year contract/amendment, please allocate budget authority among approved budget authority and future fiscal year(s)-unbudgeted obligations:

Approved Budget Authority →	Fiscal Year: <u>FY 09/10</u> \$ <u>30,000.00</u>	Future Fiscal Year(s) – Unbudgeted Obligation →	\$ <u>60,000.00</u>
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Is this consistent with the adopted budget? ☒ Yes ☐ NoIf yes, which Task includes budget authority? 70210000If no, has the budget amendment been submitted? ☐ Yes ☐ No**CONTRACT MANAGEMENT****Please mark an "X" next to all that apply:**☐ Intergovernmental ☒ Private ☐ Non-Local ☐ Local ☐ Partly LocalDisadvantaged Business Enterprise: ☐ No ☐ Yes _____ %Task Manager: Michelle KirkhoffContract Manager: Marla Modell

Task Manager Signature

Date

Contract Manager Signature

Date

Chief Financial Officer Signature

Date

Filename: C09197.doc

**San Bernardino Service Authority for Freeway Emergencies
and
Ron DeLaby
for
Services to Recover Damages to San Bernardino County Call Boxes**

THIS AGREEMENT is made and entered into on this 1st day of July, 2009 by and between the San Bernardino Service Authority for Freeway Emergencies, hereinafter referred to as "SAFE," and Ron C. DeLaby, hereinafter referred to as "CONSULTANT."

RECITALS

WHEREAS, SAFE desires the services of a qualified consultant to provide cost recovery services associated with the San Bernardino Motorist Aid Call Box System. Such qualifications to include appropriate licensing as a Private Investigator and Insurance Adjuster by the State of California; and

WHEREAS, CONSULTANT has the management and technical personnel, expertise, licensing, certification, and other assets necessary to render such services, and is desirous of providing such services to the SAFE; and

NOW, THEREFORE, in consideration for the promises set forth herein, the receipt and adequacy of which is hereby acknowledged, the parties hereto agree as follows:

SECTION I
SERVICES OF THE CONSULTANT; TERM

1. **General Scope of Services.** SAFE hereby contracts with CONSULTANT to provide services as set forth in Exhibit "A", Scope of Work, hereinafter referred to as "Services."

2. **Term.** The term of this Agreement shall be from July 1, 2009 to June 30, 2012, with an option at SAFE's sole discretion to extend the contract for a two-year period until June 30, 2014, unless earlier terminated as provided herein.

SECTION II

RESPONSIBILITIES OF CONSULTANT

1. Control and Payment of Subordinates. SAFE retains CONSULTANT on an independent contractor basis and CONSULTANT is not an employee of SAFE. Any additional personnel performing the Services under this Agreement on behalf of CONSULTANT shall at all times be under CONSULTANT's exclusive direction and control. CONSULTANT shall pay all wages, salaries, and other amounts due such personnel in connection with their performance of Services under this Agreement and as required by law. CONSULTANT shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance, and workers' compensation insurance.

2. Conformance to Applicable Requirements. All work prepared by CONSULTANT shall be subject to the approval of SAFE.

3. Coordination of Services. CONSULTANT agrees to work closely with SAFE staff in the performance of Services and shall be available to SAFE's staff, consultants, contractors, and other SAFE partners at all reasonable times. All settlements negotiated by CONSULTANT under this Agreement shall be approved by SAFE as follows:

A. SAFE's Director of Air Quality/Mobility Programs is hereby authorized to approve and compromise all claims up to Seven Thousand and Five Hundred Dollars (\$7,500).

B. All claims over Seven Thousand and Five Hundred and One Dollars (\$7,501) must be approved and compromised by SAFE's Board of Directors.

4. Standard of Care and Licenses. CONSULTANT shall perform the Services under this Agreement in a skillful and competent manner. CONSULTANT shall be responsible to SAFE for any errors or omissions in its performance of this Agreement. CONSULTANT represents and warrants to SAFE that it has all licenses, permits, qualifications and approvals of whatever nature that is legally required to perform the Services. CONSULTANT further represents and warrants that it shall keep in effect all such licenses, permits, and other approvals during the term of this Agreement.

5. Insurance. CONSULTANT shall obtain insurance as it relates to the performance of Service under this Agreement and shall name SAFE, its officials, officers, employees, and agents as insureds with respect to performance of Services.

A. Commercial General Liability Insurance. CONSULTANT shall maintain occurrence version commercial general liability insurance or equivalent form with a combined single limit of not less than \$500,000 per occurrence. If such insurance contains a general aggregate limit, it shall apply separately to this Agreement or be no less than two times the occurrence limit. Such insurance shall:

- 1) Name SAFE, its officials, officers, employees and agents as insureds with respect to performance of Services. Such insured status shall contain no special limitations on the scope of its protection to the above-listed insureds.
- 2) Be primary with respect to any insurance or self insurance programs covering SAFE, its officials, officers, employees, agents, and consultants.
- 3) Contain standard separation of insureds provisions.

B. Business Automobile Liability Insurance. CONSULTANT shall maintain business automobile liability insurance or equivalent form. Such insurance shall include coverage for owned, hired and non-owned automobiles.

C. Certificates/Insurer Rating/Cancellation Notice.

- 1) CONSULTANT shall, prior to commencement of the Services, furnish to SAFE properly executed certificates of insurance, and certified copies of endorsements, and policies if requested by SAFE, which shall clearly evidence all insurance required in this Section. CONSULTANT shall not allow such insurance to be canceled or allowed to expire except on 30 days' prior to written notice to SAFE.
- 2) CONSULTANT shall maintain such insurance from the time the Services commence until the Services are completed, except as may be otherwise required by this Section.
- 3) CONSULTANT shall place insurance with insurers licensed to do business in California.
- 4) CONSULTANT shall replace certificates, policies and endorsements for any insurance expiring prior to completion of the Services.

6. Ownership of Materials/Confidentiality/Use of Data.

A. All materials and data, including data on magnetic media, prepared by CONSULTANT under this Agreement shall become the common property of SAFE and CONSULTANT. SAFE and CONSULTANT shall not be limited in any way in its use of such data at any time, provided that any such use not within the purposes intended by this Agreement shall be at the respective party's sole risk and provided that the other party shall be indemnified against any damages resulting from such use, including the release of this material to third parties for a use not intended by this Agreement. Neither party to this Agreement shall sell the data or other materials prepared under this Agreement without the written permission of the other party.

B. Confidentiality. All memoranda, procedures, drawings, descriptions, computer program data, input data record data, software, spreadsheets, written information, and other materials described in subsection (1) either created or provided to CONSULTANT in connection with the performance of this Agreement shall be held confidential by CONSULTANT. Such materials shall not, without the prior written consent of SAFE, be used by CONSULTANT for any purposes other than the performance of the Services. Nor shall such materials be disclosed to any person or entity not connected with the performance of the Services. Nothing furnished to CONSULTANT which is otherwise known to CONSULTANT or is generally known, or has become known, to the related industry shall be deemed confidential. CONSULTANT shall not use SAFE's name or insignia, photographs of the project, or any publicity pertaining to the Services in any magazine, trade paper, newspaper, television or radio production or other similar medium without the prior written consent of SAFE.

C. Use of Data. All data shall be provided to SAFE in hard copy and electronic media. Data in electronic media shall be provided in a form which will allow SAFE to use, access, and manipulate the data to prepare reports and perform other activities contemplated by this Agreement.

7. Scope of Work. CONSULTANT shall perform the Services in accordance with the Scope of Work set forth in Exhibit "A" attached hereto. In order to facilitate CONSULTANT's conformance with the Scope of Work, SAFE shall respond to CONSULTANT's submittals in a timely manner. Upon request of SAFE, CONSULTANT shall provide a more detailed report of anticipated performance to meet the Scope of Work.

SECTION III
FEES AND PAYMENTS

1. **Compensation.** SAFE shall pay CONSULTANT for all standard recovery work as set forth in the Scope of Work, Thirty-three percent (33%) of the costs actually recovered by CONSULTANT. This compensation shall include all the CONSULTANT's expenses and costs for all Services rendered under this Agreement, including but not limited to all investigation, correspondence, file management and storage, long distance telephone calls, vehicle mileage and collection costs. In the event CONSULTANT is required to appear at any trial and give testimony, the compensation shall increase to Forty percent (40%) of the costs actually recovered by CONSULTANT in the matter of the court appearance, plus only those expenses related to and necessary for appearing at the trial and giving testimony, but not for the expenses and costs incurred prior to such trial preparation. Extra work may be authorized, as described below, and if authorized, will be compensated at the rates and manner set forth in the authorization for the Extra Work.

2. **Payment and Compensation.** CONSULTANT shall submit to SAFE on a quarterly basis, a statement which includes work completed, Services rendered and the costs actually recovered by CONSULTANT. Further, CONSULTANT shall provide a quarterly status report to SAFE in a spreadsheet format describing the status of all files in possession of CONSULTANT. The statement shall describe the amount of Services and supplies provided since the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the statement. SAFE shall, within 30 days of receiving such statement, pay all compensation earned by CONSULTANT.

3. **Reimbursement for Expenses.** CONSULTANT shall not be reimbursed for any expenses unless authorized in writing by SAFE's Executive Director as Extra Work.

4. **Extra Work.** At any time during the term of this Agreement, SAFE may request that CONSULTANT perform Extra Work. As used herein, "Extra Work" means any work which is determined by SAFE's Executive Director to be necessary for the proper completion of the project, but which the parties did not reasonably anticipate would be necessary at the execution of this Agreement. CONSULTANT shall not perform, nor be compensated for, Extra Work without written authorization from SAFE's Executive Director. The total cumulative Extra Work shall not exceed Ten Thousand Dollars (\$10,000.00) without an amendment to this Agreement.

SECTION IV
ACCOUNTING RECORDS

CONSULTANT shall maintain complete and accurate records with respect to costs recovered and incurred under this Agreement. All such records shall be clearly identifiable. CONSULTANT shall allow a representative of SAFE during normal business hours to examine, audit, and make transcripts or copies of such records and any other documents created pursuant to this Agreement. CONSULTANT shall allow inspection of all work, data, documents, software, spreadsheets, proceedings, and activities related to the Agreement for a period of four (4) years from the date of final payment under this Agreement.

SECTION V
GENERAL PROVISIONS

1. Termination of Agreement.

A. The Executive Director, acting on behalf of the SAFE may, by written notice to CONSULTANT, immediately terminate the whole or any part of this Agreement at any time and without cause by giving written notice to CONSULTANT of such termination, and specifying the effective date thereof. Unless otherwise specified in the notice of termination, upon receipt of the notice of termination CONSULTANT shall immediately cease to provide Services. Upon termination, CONSULTANT shall be compensated only for those services which have been adequately rendered to SAFE, and CONSULTANT shall be entitled to no further compensation. CONSULTANT may not terminate this Agreement except for cause. In the event that this Agreement is terminated, CONSULTANT shall, within thirty (30) days of notification of termination, complete those items of work which are in various stages of completion and which SAFE's Executive Director determines are necessary to bring the work to a timely, logical, and orderly end.

B. In the event this Agreement is terminated in whole or in part as provided in paragraph A of this section, SAFE may procure, upon such terms and in such manner as it may determine appropriate, services similar to those terminated.

C. If this Agreement is terminated as provided in paragraph A of this section, CONSULTANT shall, at no additional cost to SAFE, provide SAFE all finished or unfinished documents, data, software, spreadsheets, programming source code, reports, etc., prepared by CONSULTANT in connection with the performance of Services under this Agreement.

2. Delivery of Notices. All notices permitted or required under this Agreement shall be given to the respective parties at the following address, or at such other address as the respective parties may provide in writing for this purpose:

CONSULTANT: Ron DeLaby
P.O. Box 596
Cumming, GA 30028

SAFE: San Bernardino SAFE
1170 W. 3rd St., 2nd Floor
San Bernardino, California 92410-1715

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the party at its applicable address.

3. Attorney's Fees. If any legal action is instituted to enforce or declare any party's rights hereunder, each party, including the prevailing party, must bear its own costs and attorney's fees. This paragraph shall not apply to those costs and attorneys' fees directly arising from any third party legal action against a party hereto and payable under Section V, Paragraph 4, Indemnification.

4. Indemnification. CONSULTANT shall defend with counsel approved by SAFE, indemnify and hold SAFE, its officials, officers, employees and agents free and harmless from any and all liability from loss, damage, or injury to property or persons, including wrongful death, in any manner arising out of or incident to any acts, omissions or willful misconduct of CONSULTANT arising out of or in connection with CONSULTANT's performance of this AGREEMENT, including without limitation the payment of attorneys' fees.

5. Entire Agreement. This Agreement contains the entire Agreement of the parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements. This Agreement may only be modified by a writing signed by both parties.

6. Governing Law and Venue. The parties acknowledge and agree that this Agreement was entered into and intended to be performed in whole or substantial part in San Bernardino County, California. Therefore, the law of the state of California, without regard to any conflicts of law provisions, shall govern any action or claim arising out of this Agreement. The parties agree that the venue for any action or claim brought by any party to this Agreement will be the Central District of San Bernardino County. Each party hereby waives any law or rule

of court which would allow them to request or demand a change of venue. If any action or claim concerning this Agreement is brought by any third party, the parties hereto agree to use their best efforts to obtain a change of venue to the Central District of San Bernardino County.

7. Time of Essence. Time is of the essence for each and every provision of this Agreement.

8. SAFE's Right to Employ Other Consultants. SAFE reserves the right to employ other consultants in connection with this project.

9. Successors and Assigns. This Agreement shall be binding on the successors and assigns of the parties, but shall not be assigned by CONSULTANT without the prior written consent of SAFE.

10. Prohibited Interests.

A. Solicitation. CONSULTANT warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for CONSULTANT, to solicit or secure this Agreement. Further, CONSULTANT warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for CONSULTANT, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, SAFE shall have the right to rescind this Agreement without liability.

B. Conflict of Interest. For the term of this Agreement, no member, officer or employee of SAFE, during the term of his or her service with SAFE, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom. CONSULTANT covenants that at present time it has no interest, and will not have any interest, direct or indirect, which would conflict in any manner with the performance of the Services required hereunder.

C. If CONSULTANT is a "public official," as defined by Government Code Section 82048 and California Code of Regulations Section 18700, CONSULTANT agrees to abide by the provisions of the Conflict of Interest Code of SAFE and the determination of the Executive Director as to the status of CONSULTANT's position and the filing of Statements of Economic Interests pursuant to the Political Reform Act (Government Code Section 81000, et seq.). SAFE shall provide a copy of said Conflict of Interest Code to CONSULTANT if CONSULTANT is requested to file.

11. Equal Opportunity Employment. CONSULTANT represents that it is an equal opportunity employer and it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex or age. Such non-discrimination shall include, but not limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination. CONSULTANT shall also comply with all relevant provisions of SAFE's Minority Business Enterprise program, Affirmative Action Plan or other related Commission programs or guidelines currently in effect or hereinafter enacted.

12. Consent. Whenever consent or approval of any party is required under this Agreement, that party shall not unreasonably withhold nor delay such consent or approval.

SECTION VI **SUBCONTRACTING**

1. CONSULTANT shall not subcontract any portion of the work required by this Agreement, except as expressly stated herein, without prior written approval of SAFE.

2. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed the Agreement on the date first hereinabove written.

SAN BERNARDINO SAFE

CONSULTANT:

By: _____
Gary C. Ovitt, President

By: _____
Ron C. DeLaby

APPROVED AS TO FORM FOR SAFE:

By:  _____
Jean Rene Basle, SAFE Counsel

SCOPE OF WORK

CONSULTANT shall provide the following services:

- TASK 1. Collect and assimilate all pertinent data from applicable agencies. CONSULTANT shall work closely with SAFE's call box maintenance vendor to establish the amounts of loss sustained during incidents. Accident reports will be obtained from the appropriate law enforcement agency. All information will be utilized to determine the nature and extent of loss as well as the identification of the responsible party.
- TASK 2. Establish an incident identification system consisting of one file per loss. Each loss will be assigned an investigation number for purposes of future identification. Each loss will be maintained in an individual file folder that will contain all investigative information and collection process. The file folder will become a data package that will be prepared as though for trial.
- TASK 3. Pursue all available avenues of recovery as are available under California laws. Such laws include but are not limited to: Sections 1714.1 Civil Code (Parental Responsibility for minor misconduct); 594 Penal Code, (Malicious Damage to Property); 790.03 (2,3,4,5) Insurance Code (Responsibility of Insurance Company to Pay Claims); 17300 & 17707 California Vehicle Code (Willful or Negligent damage).
- TASK 4. Identify and submit a demand for payment on all liable parties where applicable and negotiate settlements for SAFE's approval.
- TASK 5. Establish and monitor a payment schedule for the liable party where applicable. CONSULTANT will establish a cooperative agreement and payment schedule. Any recovery on behalf of SAFE will conform to the provisions of section(s) 1788-1788.2, Civil Code.
- TASK 6. Establish a payment/recovery record. All payments will be sent to the consultant for purposes of record keeping, then forwarded to SAFE in the quarterly report. SAFE will be the sole payee.
- TASK 7. Provide investigative data as needed consisting of:
- A. Collection of all related information pertaining to each individual loss.

- B. Interview and/or collection of all witness statements when necessary.
- C. Preparation of written reports documenting investigative data when necessary.

- TASK 8. Provide quarterly status reports of activity to SAFE. CONSULTANT will provide quarterly accounting of the status of all files. Such reporting will occur whether or not the file is open or closed, and whether settlement or collection is pending.
- TASK 9. Maintain all files in working order. All working files will be available for inspection and/or audit at any time by SAFE or its designated agent. CONSULTANT will maintain all working files on premise for review and copies of any such files will be provided to SAFE upon request.
- TASK 10. Retain closed files for a period of four years. CONSULTANT will arrange for the storage of files in a secure facility for a period of four (4) years following the closing of each file.
- TASK 11. Provide and maintain necessary insurance coverage on all consultants or firm employees.
- TASK 12. CONSULTANT shall file California SR-1 forms when call box damage exceeds \$500.00 and there is reason to believe the responsible party was driving without insurance coverage.

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 24

Date: June 3, 2009

Subject: Extension of Metrolink Service to the San Bernardino Transit Station at "E" Street

Recommendation:* Select the double track extension of Metrolink service to the San Bernardino Transit Station at "E" Street as the preferred alternative.

Background: As part of the San Bernardino to Redlands Corridor Regionally Significant Transportation Investment Study and Environmental Analysis a series of transit alternatives are to be considered. One of the alternatives involves extending the existing Metrolink service, which currently ends at the San Bernardino Santa Fe Depot, to the proposed San Bernardino Transit Station located at "E" Street. Another alternative involves extending the proposed Redlands transit service to the San Bernardino Santa Fe Depot. As part of the study, the two alternatives are compared against a No Build alternative which would leave Metrolink service at the depot and terminate the Redlands service at "E" Street.

SANBAG staff, SANBAG rail consultant, SCS, and the study consultant, STV, have discussed these two alternatives extensively and are of the opinion that a decision on a preferred alternative for the 1st mile needs to be made early in the study phase. STV and its subconsultants have reviewed the implications of the two alternatives with respect to operating characteristics, ridership and construction cost. STV will be presenting the conclusions of this in-depth review.

*

Approved
Board of Directors

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

BRD0906a-mab
35209000
Attachment:
BRD0906a1-mab

In order to give the Committee the most information prior to the meeting, staff provided a brief report on the results of the ridership forecast as well as a copy of the STV PowerPoint Presentation summarizing the analysis that has been conducted. Excerpts from the slide presentation are included with this item.

There is no doubt that extending the Metrolink service would make the proposed San Bernardino Transit Station a truly multi-modal transit facility – incorporating local bus, *sbX* (bus rapid transit), Redlands light rail and commuter rail services (as well as the potential for high speed rail and a non-highway alternative to the Big Bear resort area) at one location. This arrangement would provide the greatest convenience for persons choosing public transit as an alternative for travel in that it limits the number of transfers between the various forms of transit service available. It would also serve as a catalyst for higher density mixed used transit supportive development in the downtown district – a goal that is supported by SANBAG, Omnitrans and the City of San Bernardino and would be consistent the intent of SB 375.

From an operations perspective, it has been determined that the extension of Metrolink service would, because of the peak period train frequencies and opposing train moves, require double track between the depot and the transit station. The extension of Metrolink service would also require the construction of additional platforms (connected with a pedestrian undercrossing) and storage tracks. Conversely, the extension of the Redlands service to the depot could be accommodated with just the single track that has already been reconstructed, but would require the construction of a platform and double track at the depot location.

The results of the ridership modeling do not show a significant difference between the alternatives. In the attached report on ridership forecasts it is important to understand that the No Build Alternative does not provide for a direct rail connection between the proposed Redlands light rail and Metrolink commuter rail services. Such a connection is provided for, but it is with a local bus route. It is also important to note that the ridership forecast year is 2015 the anticipated opening year for the Redlands service. In contrast to the Federal Transit Administration (FTA) New Starts program, which allows project sponsors to prepare ridership forecast for the horizon year (2030), the Small Starts program requires project sponsors to forecast ridership for the opening year. The use of opening year ridership forecasts does not allow for the consideration of longer

term changes in land use surrounding the proposed stations that would certainly have a positive effect on the system's ridership. Having said that, each alternative would increase total daily transit boardings (unlinked trips) by over 1,250.

The estimated cost for the alternatives is included in the last slide of the attached PowerPoint excerpts. On this slide the Baseline alternative represents the extension of Metrolink service to the Transit Station using single track which has been determined not to be operationally feasible. The extensions of the Redlands service to the depot, either single or double track options (\$15.4 and 24.6 million respectively), result in total construction cost estimates that exceed the \$250 million total project threshold required under the current FTA Small Starts Program. The selection of either of these alternatives would require that the Redlands project be submitted under the FTA New Starts Program – a much more competitive program focusing on investments in much larger urban areas throughout the nation. The Metrolink double track extension alternative, while the most expensive alternative with an estimated cost of \$41.4 million, would be segregated from the Redlands project as a separate and distinct project.

Staff is recommending the selection of the Metrolink double track extension to the San Bernardino Transit Station as the preferred alternative for the following reasons:

- From a public transit connectivity context, the Metrolink extension provides for the interface of four transit modes; local bus, *sbX* (bus rapid transit), Redlands light rail and Metrolink commuter rail (and potentially high speed rail and a non-highway alternative transportation system to the mountains), at one location and eliminates the requirement for multiple transfers using various transit modes.
- The extension of the Metrolink service provides the synergy that is necessary to develop higher density mixed use transit supportive development in the vicinity of the San Bernardino Transit Station – a goal shared by SANBAG, Omnitrans and the City of San Bernardino and would be consistent with the intent of SB 375.
- The extension of Metrolink service provides independent utility and can be excluded from the cost of the proposed Redlands rail service, which must not exceed the Small Starts project threshold of \$250 million. It also sets the western terminus of the proposed Redlands service as the San Bernardino Transit Station.

- The selection of the double track Metrolink extension is a project that was provided for in the Measure I 2010-2040 Strategic Plan adopted by the Board in April 2009.

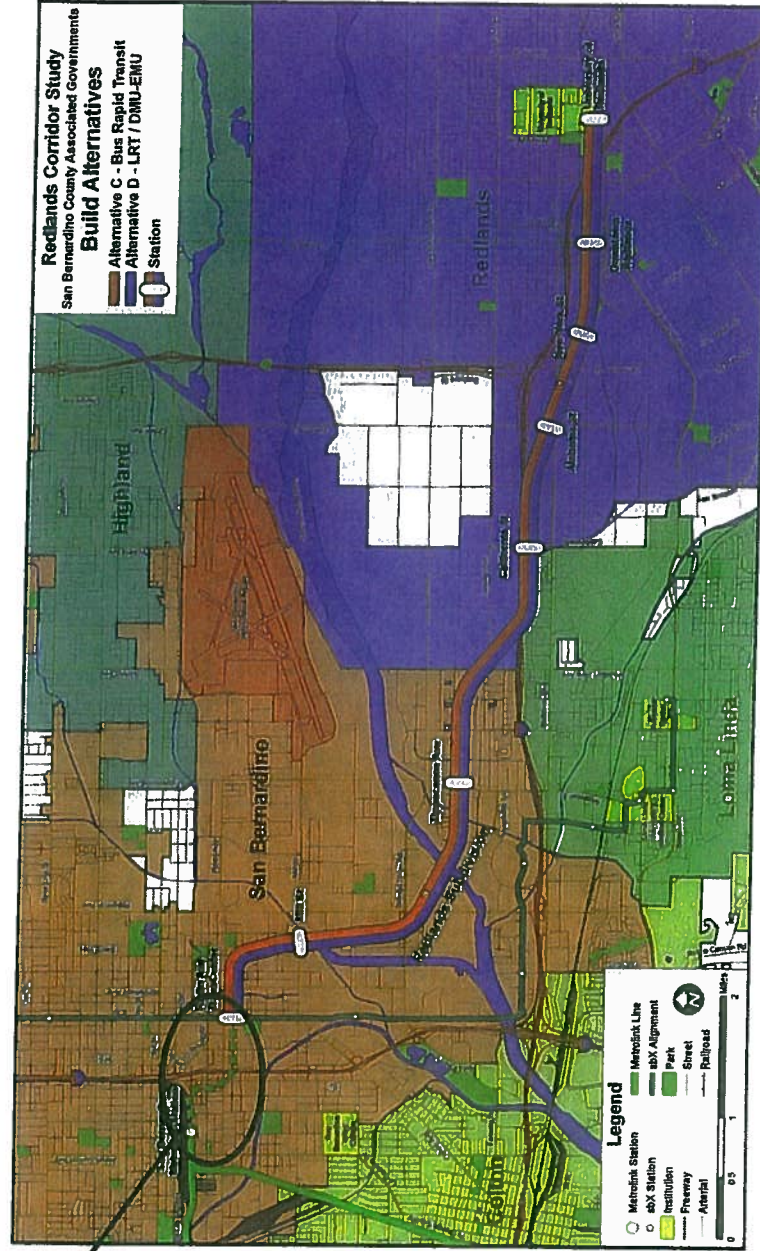
Financial Impact: With the Board's selection of the double track extension of Metrolink service to the San Bernardino Transit Station, staff will begin the process of identifying funding for the project. Likely revenue sources will include FTA formula funds that have been (estimated to be \$10 million) and will likely continue to be made available for rail capital projects, current Measure I uncommitted Commuter Rail funds (estimated to be \$10 million), and future 2010-2040 Measure I Commuter Rail funds or other financing means.

Reviewed By: This item was reviewed by the Commuter Rail Committee on May 21, 2009 and unanimously recommended for approval.

Responsible Staff: Michael Bair, Interim Director of Transit and Rail Programs

1st Mile Segment

The 1st mile segment is the connection between the Santa Fe Depot and the planned San Bernardino Transit Station at E Street / Rialto Ave.



- Baseline – Redlands to E Street, Metrolink to E Street (Single Track)
- Alternative 1 – Redlands to Depot (Single Track)
- Alternative 2 – Redlands to Depot (Double Track)
- Alternative 3 – Metrolink to E Street (Double Track)

Objective: inform decision making on whether to take Metrolink to the SB Transit Station or take Redlands Rail to the Santa Fe Depot

Redlands to SB Transit Station versus Santa Fe Depot: Pros and Cons

Options		PROS	CONS
Metrolink to SB Transit Station		<ul style="list-style-type: none"> ✓Provides connections between Metrolink, Redlands, sbX and local bus ✓Metrolink extension costs separate from Redlands Rail project costs 	<ul style="list-style-type: none"> ✓2 platforms + underground Xing costly ✓Metrolink to Transit Station costliest of three options
Redlands to Depot		<ul style="list-style-type: none"> ✓Slightly higher ridership on Redlands Rail compared to Transit Station option ✓Less costly than Metrolink to Transit Station 	<ul style="list-style-type: none"> ✓Connection from most local bus routes to Metrolink is a two transfer trip from Transit Station ✓Lose single connection point for Metrolink, Redlands, sbX and local bus

Question: *Is there a benefit to having a consolidated transfer location at the SB Transit Station?*

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Extending Metrolink to the SB Transit Station the costliest 1st mile alternative

Options	Cost of University to E Street	Cost of 1 st Mile Extension	Overall Cost - University to Depot
Baseline Redlands Rail (single track)	\$240.8M	\$32.5M	\$273.3M
Option 1: Redlands 1 Track to Depot *	\$240.8M	\$15.4M	\$256.2M**
Option 2: Redlands 2 Tracks to Depot *	\$240.8M	\$24.6M	\$265.4M**
Option 3: Metrolink 2 Tracks to SB Transit Station	\$240.8M	\$41.4M	\$282.2M

* Options 1 & 2 cannot be excluded from the Redlands project costs; Option 3 can be excluded

** Extending Redlands to Depot would likely exceed \$250M, making it ineligible for the FTA Small Starts program under current eligibility criteria

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- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 25

Date: June 3, 2009

Subject: Adopt Positions for State Legislation.

Recommendation:*

1. Adopt a support position on the following bills:

- a. AB 266 (Carter)
- b. AB 254 (Jeffries)
- c. AB 561 (Carter)
- d. AB 610 (Caballero)
- e. AB 729 (Evans)
- f. AB 732 (Jeffries)
- g. AB 782 (Jeffries)
- h. AB 798 (Nava)
- i. AB 892 (Furutani)
- j. AB 1072 (Eng)
- k. AB 1204 (Huber)
- l. AB 1243 (Lowenthal)
- m. AB 1403 (Eng)
- n. SB 696 (Wright)

2. Adopt an oppose position on the following bills:

- a. SB 391 (Liu)
- b. AB 397 (Jeffries)
- c. SB 406 (DeSaulnier)

3. Adopt a neutral position for the following bill:

- a. AB 726 (Nielsen)

*

*Approved
Board of Directors*

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

Background:

The State Legislature is beginning to confer on bills during its first year of the two-year state legislative session.

SANBAG staff and its state advocates are monitoring a number of bills under consideration in Sacramento. Attached, please find a list of bills and recommended positions, consistent with SANBAG's Legislative Program (Please see Attachment #1).

The bills included in this item address transportation planning, transit, and Council of Government-related issues.

For reference, a copy of SANBAG's adopted State Legislative Program, is also attached (please see Attachment #2).

During Administrative Committee, members agreed with the staff recommendation for bills to support and oppose, however there was not unanimous agreement on the recommended position for AB 726. The day prior to Administrative Committee, SANBAG staff received additional information concerning AB 726 and changed its recommendation from oppose to asking the Board "to direct SANBAG to strongly monitor AB 726." Members of the Committee, however, recommended the Board to adopt a neutral position for AB 726, especially since this bill is sponsored by the California State Association of Counties. Since the decision to recommend a neutral position for AB 726 was not unanimous, two members objected, this agenda item is being presented to the Board for discussion.

Financial Impact:

Funding for SANBAG's Legislative program is consistent with the adopted SANBAG Budget Task No. 50309000.

Reviewed By:

This item was reviewed and recommended for approval (5-2-0; opposed: Pat Gilbreath and Paul Eaton) by the Administrative Committee on May 13, 2009.

Responsible Staff:

Jennifer Franco, Director of Intergovernmental and Legislative Affairs

<i>Bill</i>	<i>Summary</i>	<i>Recommended Position</i>
AB 266 (Carter)	Would require the commission, on an every five-year basis, to develop an assessment of the unfunded costs of programmed state projects and federally earmarked projects in the state, as well as an assessment of available funding for transportation purposes and unmet transportation needs on a statewide basis. The bill would require the Department of Transportation to assist in conducting the assessment. The bill would require the commission to submit the first assessment report to the Legislature by March 1, 2011 and it identifies statewide transportation program needs. This bill is the same as Carter's AB 945, which was supported by SANBAG, but extends the first assessment report date from July 1, 2008 to March 1, 2011.	Support
AB 254 (Jeffries)	Would exempt those emergency vehicles from the payment of a toll or charge on a vehicular crossing or toll highway in those circumstances. This bill contains other existing laws. This bill has no immediate impact for SANBAG, however, it may assist emergency vehicles operating within the Southern California region.	Support
AB 561 (Carter)	Expands the definition of highway workers to include employees of a city, county, or city and county, and includes specified activities related to local roads or streets. While assault and battery are already criminal offenses, current penalties do not appear to be sufficient to deter dangerous, and in some cases potentially deadly, assaults on local streets and roads workers. Due to the nature of their work environment, these employees' safety can be at risk even under the best of circumstances. Given their vulnerability, they deserve the greatest protection possible against abuse by the public. The intent of this legislation is to protect employees working on our transportation infrastructure projects and this bill further clarifies SB 1509 (Lowenthal), which was adopted last year to provide certain protections to highway workers. While SANBAG's legislative program is silent on work environment issues, SANBAG has traditionally supported improving employee work conditions.	Support
AB 610 (Caballero)	Would require the Office of Planning and Research to advise and educate local agencies and other interested stakeholders about the role that public-private partnerships can play in planning, studying, designing, financing, constructing, operating, maintaining, or managing local infrastructure projects. Provides technical advice for P3 project sponsors. SANBAG's legislative program is supportive of P3's and this bill will assist with providing information to potential P3 project sponsors.	Support
AB 729 (Evans)	Eliminates the sunset date for the design build authority for transit projects. This bill would allow for the continuance of a tool that can help expedite capital projects. SANBAG's legislative program supports design-build authority.	Support

ATTACHMENT #1

<i>Bill</i>	<i>Summary</i>	<i>Recommended Position</i>
AB 732 (Jeffries)	This bill extends the sunset date on a design-sequencing pilot project within Caltrans for two years-from January 1, 2010 to January 1, 2012. Negligible fiscal impact for Caltrans to administer up to six additional projects using an alternate delivery method. Unknown project-related costs or savings from use of design-sequencing. SANBAG's legislative program is in support of alternative delivery methods that result in potential overall cost savings.	Support
AB 782 (Jeffries)	Would provide that upon the state board's acceptance that the sustainable communities strategy or an alternative planning strategy, if implemented, will achieve the greenhouse gas emissions reduction targets established by the state board, that acceptance shall be final, and no person or entity may initiate or maintain any judicial proceeding to review the propriety of the state board's acceptance. Makes the California Air resources Board approval of a SCS (Sustainable Community Strategy) under SB 375 final and prohibits legal challenges. SANBAG staff recommends support to alleviate/eliminate potential future litigation of a SCS.	Support
AB 798 (Nava)	Would create the California Transportation Financing Authority with specified powers and duties relative to issuance of bonds to fund transportation projects to be backed, in whole or in part, by various revenue streams of transportation funds, and toll revenues under certain conditions, in order to increase the construction of new capacity or improvements for the state transportation system consistent with specified goals. The bill would set forth the requirements for a project sponsor to obtain bond funding from the authority, would allow the authority to approve the imposition and collection of tolls on a proposed project under certain conditions, and would require the authority to report to the California Transportation Commission annually beginning June 30, 2011. The bill would create the California Transportation Financing Authority Fund (CTFAF), which would be continuously appropriated for these purposes. According to this bill's sponsor, State Treasurer Bill Lockyer, this bill will help increase transportation capacity in our state by providing transportation entities with the resources needed to meet growing transportation needs. This bill is similar to AB 3021, which SANBAG supported in concept.	Support
AB 892 (Furutani)	Authorizes a sponsoring local agency that has received Goods Movement Emission Reduction Program (GMERP) funds to reallocate unexpended funds to a previously approved backup project. Funds reallocated either by the applicant or the state board must be liquidated within 4 years of the date of the award of the original contract, or the funds revert to the California Ports Infrastructure, Security, and Air Quality Improvement Account for allocation upon appropriation by the Legislature. Authorizes Prop 1B Trade Corridors Improvement Fund (TCIF) grant recipients to reallocate grants to additional projects in their jurisdiction. This may provide additional funding for SANBAG's TCIF projects.	Support

<i>Bill</i>	<i>Summary</i>	<i>Recommended Position</i>
AB 1072 (Eng)	This bill would provide certainty to operators and allow for long-rang planning and contracting by locking in the formula on all remaining funds in the Public Transportation Modernization Improvement and Service Enhancement Account (PTMISEA) program as provided by Proposition 1B. Further, this bill would allow for greater predictability, flexibility and efficiencies in planning projects and purchasing buses and trains that the public expected with the passage of Proposition 1B. This bill is sponsored by California Transportation Association. SANBAG's legislative program supports flexibility in managing funding for transportation.	Support
AB 1204 (Huber)	Would delete the restriction of the California Environmental Quality Act (CEQA) exemption for the sustainable community strategy to residential or mixed-use residential projects. By requiring a lead agency to determine whether the above exemption applies to additional projects, the bill would increase the level of service provided by a local agency, thereby imposing a state-mandated local program. Expands the provision in SB 375 related to CEQA streamlining for projects in a sustainable community strategy. Support recommended on the basis of potential positive impacts for SANBAG's transit-related development.	Support
AB 1243 (Lowenthal)	Creates the South East Los Angeles County Commercial Vehicle Network Development and Advisory Committee (Committee) and prescribes its membership and responsibilities.	Support
AB 1403 (Eng)	Deletes the \$1 million cap on allocations of Transportation Development Account (TDA) funds to the Southern California Association of Governments (SCAG). Will provide matching funds for TDA projects.	Support
SB 696 (Wright)	This bill would exempt from the requirements of the California Environmental Quality Act (CEQA) the adoption and implementation of specified district rules, and the creation or the use of specified credits pursuant to the South Coast Air Quality Management District (SCAQMD) rules by a thermal power plant when certain conditions are satisfied. Because a lead agency would be required to determine whether the use of the credits qualifies for an exemption, this bill would impose a state-mandated local program. This bill requires a 2/3 vote and is an urgency matter due to pending litigation to issue air credits. At time of print of this agenda item, SANBAG was unable to determine potential impacts to our local jurisdictions should this bill pass, however, SCAQMD's inability to issue air permits for projects eligible for credits could potentially delay projects. SANBAG's legislative program supports expediting/streamlining project delivery.	Support

<i>Bill</i>	<i>Summary</i>	<i>Recommended Position</i>
SB 391 (Liu)	Would require the California Department of Transportation to update the California Transportation Plan by December 31, 2015, and every 5 years thereafter, with an interim report due by December 31, 2012 to address how the state will achieve maximum feasible emissions reductions. The bill would require the plan to address how the state will achieve maximum feasible emissions reductions in order to attain a statewide reduction of greenhouse gas emissions to 1990 levels by 2020 and 80 percent below 1990 levels by 2050. The bill would require the plan to identify the statewide integrated multimodal transportation system needed to achieve these results. The bill would specify certain subject areas to be considered in the plan for the movement of people and freight. The bill would require the Department to consult with and coordinate its planning activities with specified entities and to provide an opportunity for public input. The bill would make additional legislative findings and declarations and require the plan to be consistent with that statement of legislative intent. SANBAG's goal is to reach air quality attainment for PM2.5. This legislative proposal could potentially detract attention and funding away from federally mandated targets to achieve air quality attainment by 2014.	Oppose
AB 397 (Jeffries)	Would require the members of the South Coast Air Quality Management District (SCAQMD) governing board to be elected by divisions commencing with the 2012 general election. By imposing new duties on local officials in establishing new electoral divisions and conducting elections, this bill would create a state-mandated local program. This bill contains other related provisions and other existing laws, and alters SCAQMD governance by replacing present appointment process with electoral districts. The implications of this bill will result in reduced representation from San Bernardino County on this board. SANBAG was unable to verify funding needs to implement this bill as a state mandated program.	Oppose
SB 406 (DeSaulnier)	Authorizes regions to impose a surcharge on vehicle registrations to pay for regional land use planning activities. This bill also makes changes to the membership and duties of the Office of Planning and Research's Planning Advisory and Assistance Council. SANBAG staff recommends oppose on the bases of potential negative impacts to local jurisdictional control.	Oppose
AB 726 (Nielsen)	Would authorize that state and local road rehabilitation projects are eligible for transportation capital improvement funds, pursuant to the State Transportation Improvement Program (STIP) process. This bill codifies existing practice by the California Transportation Commission to permit Regional Transportation Improvement Program funds to be allocated for local road rehabilitation. There are no foreseeable positive impacts to SANBAG's program as a result of this practice.	Neutral

San Bernardino Associated Governments 2009 State Legislative Program

Mission Statement

"SANBAG's mission is to enhance the quality of life for all residents in San Bernardino County by improving cooperative regional planning, developing an accessible, efficient, multi-modal transportation system, strengthening economic development efforts and exerting leadership in creative problem solving."

OVERALL OBJECTIVES

1. Increase advocacy efforts.
2. Maximize current funding levels.
3. Optimize transportation revenues and funding sources that enhance SANBAG's ability to develop and deliver planned projects.
4. Maximize flexibility in the use of existing transportation revenues.
5. Streamline administrative and regulatory processes.

STATE LEGISLATIVE PROGRAM

1. **Increase Advocacy Efforts.**
 - A. Influence decision makers to enact policies and supply funds supporting and advancing transportation needs in San Bernardino County.
 - B. Continue to seek money for the maintenance and preservation of our existing roads, highways, bridges and transit.
 - C. Continue to support legislation that aims to reduce congestion and freight impacts to San Bernardino County.
 - D. Increase efforts to advocate for issues relating to housing, water and economic development as directed by the SANBAG Board of Directors.
2. **Maximize current funding levels for transportation programs.**
 - A. Protect existing highway and transit funds, including Proposition 42, Traffic Congestion Relief Program, Public Transportation Account and Transportation Development Act, against suspension, transfer or expenditure for non-transportation uses or for purposes other than those specified in law.

2. Maximize current funding levels for transportation programs. (Continued)

- B. Support state budget and California Transportation Commission allocations to fully fund projects for San Bernardino County included in the State Transportation Improvement Program (STIP) and the Measure I Expenditure Plan.
- C. Support the protection of the statutory 1.5 percent of revenue cap on administrative fees levied by the Board of Equalization (BOE) for the collection and administration of county transportation sales tax measures.
- D. Support full funding of the regional programming process to provide for regional determination and programming for the use of all current funding sources and to provide total flexibility for all current and future STIP programs.
- E. Support state policies that assure timely allocation of transportation revenue, including allocations of new funds available to the STIP process as soon as they are available.
- F. Continue to support the protection of AB 2766 vehicle license fee funding in the South Coast Air Basin, the South Coast Air Quality Management District (SCAQMD), to the cities and the Mobile Source Air Pollution Reduction. Review Committee (MSRC); support MSRC's independence as a committee.
- G. Support legislation or the development of administrative policies to permit a program credit for local funds spent on accelerating STIP projects through right-of-way purchases, or environmental and engineering consultant efforts.
- H. Support legislation that will allow the state to advance and/or loan funding to local agencies for projects that are funded through sales tax programs, but delayed due to cash flow problems.
- I. Support legislation and/or budgetary actions to assure a fair share of State revenues of intercity rail (provided to Amtrak, Metrolink or other operators) funding for Southern California and San Bernardino County.
- J. Support legislation that ensures equity of benefit from the investment of State passenger rail funds to all passenger rail lines including commuter rail systems.
- K. Oppose legislation that would reduce SANBAG's share of Congestion Mitigation and Air Quality (CMAQ) funds, the direct allocation of such funds, or the flexibility to use such funds. Also oppose any attempt to change the weighting factors assigned to nonattainment areas.
- L. Oppose any proposal that could reduce San Bernardino County's opportunity to receive transportation funds, including diversion of state transportation revenues for other purposes. Fund sources include, but are not limited to, the State Highway Account (SHA), Public Transit Account (PTA), and Transportation Development Act (TDA) and any ballot initiative sources.

3. **Optimize transportation revenues and funding sources that enhance the ability of SANBAG to implement its transportation programs and plans.**

- A. Support the Southern California Consensus Group, a coalition of transportation stakeholders, that supports project delivery using a regional corridor system plan and corridor share approach to ensure the fair distribution of funding, promote local contributions to projects and address community quality of life concerns throughout the Southern California region.
- B. Support or seek legislation and administrative financing/programming policies and procedures to assure an identified source of funding and an equitable distribution of the funding for bus and rail services in California.
- C. Support legislation to assure that dedicated state intercity rail funding is allocated to the regions administering each portion of the system and assure that funding is distributed on an equitable basis.
- D. Support or seek legislation to assure a dedicated source of funding, other than the State Highway Account, for local streets and road maintenance and repairs.
- E. Support legislation to provide funding for innovative, intelligent/advanced transportation, goods movement, demand management and air quality programs which relieve congestion, improve air quality and enhance economic development.
- F. Support legislation creating the Passenger Rail Improvement, Safety and Modernization (PRISM) program so long as funding comes from new sources of revenue.
- G. Support current local program funding and flexibility of mobility projects, such as Freeway Service Patrol (FSP), ridesharing and call boxes.
- H. Support analysis and consensus building efforts for potential new funding strategies for transportation.

4. **Maximize flexibility in the use of existing transportation revenues.**

- A. Request a fair share for San Bernardino County of any state discretionary funding made available for transportation grants or programs.
- B. Support legislative and/or administrative efforts to improve flexibility with the use of GARVEE bonds, funding such as "AB 3090 financing," and/or other available financing mechanisms to ensure that SANBAG is able to fully leverage state and federal transportation funds during the state's current fiscal crisis.
- C. Support legislation to enable county transportation commissions to utilize design-build and design-sequencing for the design and construction of transportation capital improvements to maximize funding and ensure greater efficiency and effectiveness for project delivery.

4. Maximize flexibility in the use of existing transportation revenues. (Continued)

- D. Increase state flexibility to implement performance-based infrastructure projects and public-private partnerships (P3), including innovative finance programs.
- E. Support legislation to ensure that funding for transit operations is commensurate with existing and new demands placed on public transit by air quality and congestion management programs, CalWORKS (welfare to work reform), the Americans with Disabilities Act, including the use of social service funding sources.
- F. Support income tax benefits or incentives that encourage use of alternative fuel vehicles and alternative modes of transportation without reducing existing transportation funding levels. Monitor and, where appropriate, support studies of market-based pricing measure to relieve traffic congestion, improve air quality and/or fund transportation alternatives.
- G. Support legislation to finance cost effective conversion of public transit fleets to alternative fuels.
- H. Work with the State Administration to develop a formal state-level coordination effort with various social service programs to identify transportation needs and funding opportunities for the provision of social service transportation.
- I. Support legislative studies to consider alternative funding for transportation.

5. Streamline administrative and regulatory processes.

- A. Support legislation and/or administrative reforms to enhance Caltrans project delivery, such as simultaneous Environmental Impact Report (EIR) and engineering studies, and a reasonable level of contracting out of appropriate activities to the private sector.
- B. Support efforts to simplify and improve the local administration of Transportation Development Act Funds.

AGENCY REPORTS

-
- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
 - San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
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JUNE COMMUTER RAIL REPORT

1. PATRONAGE

San Bernardino Line:

Ridership on the San Bernardino Line increased just slightly (<1%) from last month but was down 3% from the same month in 2008. So far, May patronage is a bit slower, currently averaging 12,488 passenger trips per weekday.

Saturday patronage was down 8% from last month and down 14% from April 2008. Preliminary May data is pointing to a slower month with a current average of 3,403 passenger trips per Saturday.

Sunday average daily ridership on the San Bernardino Line was 5% lower than the average last month. Additionally, there was an almost 3% decrease in a year-to-year comparison. As of mid-May, average Sunday ridership is slightly higher than April with a current average of 2,381 passenger trips per Sunday.

Riverside-Ontario-Los Angeles Line:

Ridership on the Riverside Line increased 1% from last month. April 2009 was also 1% higher than April 2008. A preview look at May ridership figures suggests somewhat lower patronage with the current May average at 4,975 passenger trips per weekday.

Inland Empire-Orange County (IEOC) Line:

April average daily ridership on the IEOC Line increased almost 3% from last month but was down more than 11% from the same month last year. At this point, May patronage is lower than April with the average daily ridership currently at 4,270 passenger trips per weekday.

Total System:

System wide, April average daily ridership dropped slightly (<1%) from March but dropped almost 5% from April 2008. Early data for May is again lower than April with the current average at 41,891 passenger trips per weekday.

Table 1

Average Weekday Daily Ridership*

	<u>San Bernardino</u>	<u>Riverside</u>	<u>IEOC</u>	<u>Systemwide</u>
April 2009	12,890	5,181	4,436	42,686
April 2008	13,285	5,116	5,008	44,792
% Change	- 3.0%	+ 1.3%	- 11.4%	- 4.7%

* Adjusted for Holidays

Table 2

Average Weekend Ridership

	<u>San Bernardino</u> <u>Saturday</u>	<u>San Bernardino</u> <u>Sunday</u>
April 2009	3,610	2,358
April 2008	4,199	2,421
% Change	- 14.0%	- 2.6%

2. ON-TIME PERFORMANCE (arrival within 5 minutes of scheduled time)

San Bernardino Line:

On-time performance for the San Bernardino Line improved slightly from March to April. Inbound trains held steady at 93% on time while outbound trains improved from 94% on time in March to 95% on time in April. Mechanical difficulties caused nineteen of the fifty-four reported delays

Riverside-Ontario-Los Angeles Line:

April on-time performance for the Riverside Line was the best it has been for several years with both inbound and outbound trains performing on time 99% of the time. The only reported delay was due to track condition.

Inland Empire-Orange County (IEOC) Line:

On-time performance results were mixed this month for the IEOC Line. Southbound trains improved two percentage points while northbound trains dropped a point to both finish the month 97% on time. Track conditions caused four of the fourteen reported delays. Another three delays were to dispatching.

Table 3

On Time Performance

% of weekday trains arriving w/in 5 min of scheduled time
(April 2009 vs. April 2008)

	<u>San Bernardino</u>		<u>Riverside</u>		<u>IEOC</u>	
	In	Out	In	Out	So	No
April 2009	93%	95%	99%	99%	97%	97%
April 2008	98%	97%	98%	92%	95%	94%



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

May 6, 2009

Members of the Governing Board:

Chairman
Dr. William A. Burke
Speaker of the Assembly
Appointee

Vice Chairman
S. Roy Wilson, Ed.D.
Chairman of the Board
County of Riverside

Michael D. Antonovich
Supervisor, Fifth District
County of Los Angeles

Michael A. Cacciotti
Councilmember, City of South Pasadena
Cities of Los Angeles County/
Eastern Region

Bill Campbell
Supervisor, Third District
County of Orange

Jane W. Carney
Senate Rules Appointee

Ronald O. Loveridge
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Cities of Riverside County

Joseph K. Lyon, Ph.D.
Governor's Appointee

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Supervisor, Fifth District
County of San Bernardino

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City of Los Angeles Representative

Miguel A. Pulido
Mayor, Santa Ana
Cities of Orange County

Tonia Reyes Uranga
Councilmember, City of Long Beach
Cities of Los Angeles County/
Western Region

Dennis R. Yates
Mayor, Chino
Cities of San Bernardino County

To: Mayors and Councilmembers

From: Dennis R. Yates, Mayor/City of Chino
Cities of San Bernardino County
Board Member, South Coast AQMD

Attached are the agenda items and the outcome of the May 1, 2009 AQMD Governing Board meeting, and a preview of the items for discussion at the June 5, 2009, meeting.

PUBLIC HEARING ITEMS AT THE MAY 1, 2009 BOARD MEETING

Amend Rule 1171 – Solvent Cleaning Operations and Rule 1122 – Solvent Degreasers

The proposed amendments extend the compliance date for the use of low-VOC solvents for clean-up of lithographic ultraviolet/electron beam ink application equipment and on-press screens in screen printing. The proposal also exempts certain specialized, small usage, low emission applications and provides other clarifying language in Rules 1171 and 1122. (Review: Stationary Source Committee, March 20, 2009)

Majority Votes: 12 Yes, 0 No, 1 Absent

PUBLIC HEARINGS SET FOR JUNE 5, 2009 BOARD MEETING

Amend Rule 317 – Clean Air Act Non-Attainment Fees (Continued from April 3, 2009 Board Meeting)

The public hearing for the proposed amended rule was continued to the June Board meeting. The newly proposed amendments incorporate provisions for an alternative baseline for calculating fees and an exemption for permit units at BACT as requested by the Board at the April 2009 public hearing. (Review: Stationary Source Committee, January 23, 2009 and March 20, 2009)

Adopt Executive Officer's FY 2009-10 AQMD Budget and Work Program

The Executive Officer's Budget for FY 2009-10 represents the input over the past several months from Board members, staff, and the public. This year's process included meetings from the Budget Advisory Committee; a public hearing on February 6, 2009 to receive input on the AQMD's Program Goals and Objectives; and two budget workshops, one for the public held on April 29 and one for the Board held on May 14-15, 2009. This submittal transmits the required appropriations and reserves necessary to adopt the proposed budget. (Administrative Committee, May 8, 2009)

Amend Regulation III – Fees

Staff is proposing a limited number of amendments to Regulation III – Fees to better align program revenues with program costs. Other proposed amendments clarify rule provisions and have minor fee adjustments. Staff is also proposing administrative amendments that have no revenue impact. Staff is not proposing a CPI increase for this fiscal year. (Review: Stationary Source Committee, April 17, 2009 and Administrative Committee, May 8, 2009)

Adopt Proposed Rule 433 – Natural Gas Quality

Fluctuations in natural gas quality may adversely impact emissions from natural gas-powered equipment. The objective of Proposed Rule 433 is to monitor the quality of natural gas being supplied to end users located within the AQMD and determine the effects of liquefied natural gas additions on the natural gas distribution system. (Review: Stationary Source Committee, April 17, 2009)

Amend Rule 1401 – New Source Review of Toxic Air Contaminants to Add Cancer Risk Value for Ethyl Benzene

The proposal would add a cancer risk value for ethyl benzene to the list of toxic air contaminants (TACs) in Rule 1401 – New Source Review of Toxic Air Contaminants. The cancer risk value was approved by the Office of Environmental Health Hazard Assessment in November 2007. In addition to impacts for new, modified, and relocated equipment subject to Rule 1401, a preliminary assessment of impacts for existing facilities subject to 1401 – Control of Toxic Air Contaminants from Existing Sources is included because Rule 1402 uses the same list of TACs. (Review: Stationary Source Committee, April 17, 2009)

Please find attached the May issue of *SCAQMD's Public Advisor* for your information.



REPORT: Mobile Source Air Pollution Reduction Review Committee

FROM: Gwenn Norton-Perry, SANBAG Representative to the MSRC

SYNOPSIS: Below is a summary of key issues addressed at the MSRC's special meeting on April 16, 2009. The MSRC's next meeting will be its annual offsite retreat, which will be conducted at the City of Temecula, on Thursday, May 21, 2009, in lieu of the regularly scheduled meeting here at the AQMD.

Special Offsite April 16, 2009 Meeting

The MSRC's April 16, 2009, meeting was conducted offsite at Rossmoor Pastries in Signal Hill. The MSRC partially funded a CNG slow-fill station at Rossmoor Pastries, the final report for which was approved last fall. The meeting included a tour of the station and the pastry facility. Rossmoor's delivery fleet consists of seven CNG vans as well as two CNG vehicles used by the owner and manager. As part of their green movement, Rossmoor also recycles and uses energy efficient equipment at their facility, and plan an expansion of their CNG station in the future. The MSRC recognized their contribution to a greener tomorrow.

Issue RFP for Technical Advisor Services

The MSRC retains a Technical Advisor, an independent contractor who provides programmatic and technical assistance in support of the AB 2766 Discretionary Fund Program. The current Technical Advisor contract expires June 30, 2009. To ensure continuation of these services, the MSRC's Technical Advisory Committee (MSRC-TAC) developed a Request for Proposals (RFP) to solicit Technical Advisor services for FYs 2009-10 and 2010-11, including a two-year option to extend. At their April 16, 2009 meeting, the MSRC unanimously approved release of an RFP to solicit Technical Advisor services for FYs 2009-10 and 2010-11, including a two-year option to extend. The MSRC also approved a three-month no-cost term extension of the current Technical Advisor contract to ensure services would be continued until a new contract could be executed. The AQMD Board will consider release of the RFP at its May 1, 2009 meeting.

Exercise Second Two-Year Option with HiP Design

Several years ago the MSRC created a website as a marketing and outreach tool; as well as a source of information for its contractors and other interested entities. HiP Design was the contractor chosen through an RFP process to design and host the website. HiP Design has continued to provide hosting and maintenance services for the website. HiP Design's current contract includes a second two-year option to extend. At their April 16, 2009 meeting, the MSRC unanimously approved executing the second two-year option to extend HiP Design's contract and augmented the contract with an additional \$7,200, which provides a modest \$300 per month for hosting and maintenance. The AQMD Board will consider this contract augmentation at its May 1, 2009 meeting.

Received and Approved Final Reports

The MSRC received and approved two final reports at its April 16, 2009 meeting, as follows:

1. Rainbow Disposal Company Contract #MS07013, which provided \$350,000 for construction of a new high volume CNG station; and
2. City of Claremont Contract #MS07053, which provided \$96,000 towards the purchase of natural gas refuse trucks.

All final reports are filed in the AQMD's library and a two-page summary of each closed project can be viewed in the electronic library on the MSRC's website at <http://www.cleantransportationfunding.org>.

Contract Modification Requests

At its April 16, 2009 meeting, the MSRC considered three contract modification requests and took unanimous action, as follows:

1. For City of Cathedral City Contract #MS03069, which provides \$22,953 for wind fencing, approval of a three-month no-cost contract term extension;
2. For City of Rancho Cucamonga Contract #MS06057, which provides \$100,000 towards the purchase of four heavy-duty CNG vehicles, approval of a 14-month no-cost contract term extension; and
3. For Raymond Gorski Contract #MS050751, which provides \$650,120 for technical advisor services for a four-year period, approval of a three-month no-cost contract term extension.

Contracts Administrator's Report

The MSRC's AB 2766 Contracts Administrator provides a written status report on all open contracts from FY 2002-03 through the present.

ADDITIONAL INFORMATION

APPOINTING/ELECTING AUTHORITY	REGIONAL COUNCIL (12:00 noon)	POLICY COMMITTEES (RC Members Serve on One Each) (Subregional Appointments) (County Commissions Appoint One to TCC) (10:00 a.m.)		
		Community, Economic, and Human Development	Energy and Environment	Transportation and Communications
District 6 (Grand Terrace, Colton, Loma Linda, Redlands, Yucaipa)	P. Gilbreath	L. McCallon		P. Gilbreath
District 7 (San Bernardino, Highland)	L. McCallon	D. Robertson		
District 8 (Rialto, Fontana)	D. Robertson			
District 9 (Rancho Cucamonga, Upland, Montclair)	P. Eaton		P. Eaton	
District 10 (Chino, Chino Hills, Ontario)	G. Duncan			G. Duncan
District 11 (Barstow, Big Bear, Needles, Twentynine Palms, Yucca Valley)	B. Jahn	B. Jahn		
District 65 (Adelanto, Apple Valley, Hesperia, Victorville)	G. Coleman			
San Bernardino County	G. Ovitt			G. Ovitt
SANBAG Acting as County Transportation Commission	K. Chastain			K. Chastain
SANBAG Subregional Appointees*				
*One appointee to each policy committee for a total of three appointees per subregion, plus one additional appointee for every SCAG District over three in the subregion. SANBAG has a total of seven subregional appointees to the policy committees.		B. Cortes Vacant (B. Jahn) Vacant (J. Mitchell)	Vacant (J. Harrison) E. Scott	Vacant (P. Leon) Vacant (K. Chastain)

Rules of Appointment

1. SANBAG policy stipulates that all SANBAG appointees be SANBAG Board Members.
2. SCAG President appoints Regional Council members to Standing and Policy Committees.

Terms of Appointment

Terms of appointment for Regional Council members representing odd numbered districts expire immediately following the SCAG General Assembly in April of odd numbered years. Terms of appointment for Regional Council members representing even numbered districts expire immediately following the SCAG General Assembly in May of even numbered years. SANBAG appointments to SCAG Policy Committees are for a term from May through the next regular SCAG general assembly of the following year.

Stipend

SCAG provides Regional Council members \$100 per day for a maximum of four meetings per month, plus mileage. A stipend for the fifth meeting per month may be received on approval by SCAG's Executive Director. SCAG also provides subregional appointees representing SANBAG on SCAG Policy Committees \$70 per meeting.

Meeting Information

The regular meetings of SCAG Regional Council, Standing Committees, and Policy Committees are on the first Thursday of each month at the SCAG Offices located at 818 W. Seventh Street, Los Angeles:
 10:00 a.m., Policy Committees 12:00 noon, Regional Council

Policy Committees

Community, Economic, and Human Development: Provides policy recommendations to the Regional Council on subjects of housing, land use, resource, economic, community development, infrastructure, employment, and regional disaster preparedness issues. Reviews and recommends to the Planning Committee revisions to the Housing, Economy, Growth Management, Human Resources, and Finance Chapters of the Regional Comprehensive Plan and Guide.
Energy and Environment: Acts as the policy advisory committee to the Regional Council on environmental issues, including air and water, hazardous, solid waste management, natural resources conservation, and energy conservation. Reviews the Environmental Impact Report of the Regional Comprehensive Plan and Guide. Provides recommendations to the Planning Committee on state and federal legislative proposals and administrative guidelines affecting environmental quality, resource conservation, **Transportation and Communications:** Acts as the policy advisory committee to the Regional Council on all regional matters pertaining to the movement of goods and people on land, water, and air. Reviews and recommends to the Regional Council all major utility development plans. Addresses the location, size, or capacity, timing, and impact of facilities.

SANBAG Policy Committee Membership

May 14, 2009

Page 1 of 3

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
Administrative Committee SANBAG President, Vice President, and Immediate Past President 3 East Valley (2 City, 1 County) 3 West Valley (2 City, 1 County) 3 Mt/Desert (2 City, 1 County) City members shall be SANBAG Board Members elected by caucus of city SANBAG Board Members within the subarea. Supervisors collectively select their representatives. The SANBAG Vice President shall serve as Chair of the Administrative Committee.	Makes recommendations to Board of Directors and: (1) Provides general policy oversight which spans the multiple program responsibilities of the organization and maintains the comprehensive organization integrity; (2) Provides policy direction with respect to administrative issues, policies, budget, finance, audit, and personnel issues for the organization; (3) Serves as policy review committee for any program area that lacks active policy committee oversight. Committee has authority to approve contracts of up to \$25,000 with Board of Directors ratification to follow.	Paul Eaton, Montclair, Vice President (Chair) Gary Ovitt, Supervisor, President (Vice Chair) Vacant (Lawrence Dale, Barstow), Past President Paul Biane, Supervisor Pat Gilbreath, Grand Terrace Josie Gonzales, Supervisor Mike Leonard, Hesperia Brad Mitzelfelt, Supervisor Pat Morris, San Bernardino Gwenn Norton-Perry, Chino Hills Rick Roelle, Apple Valley Dennis Yates, Chino	6/30/2009 6/30/2009 6/30/2009 12/31/2009 12/31/2010 12/31/2009 12/31/2010 12/31/2008 12/31/2009 12/31/2009 12/31/2009 12/31/2010
Commuter Rail Committee Nine Valley-elected officials, four of who shall be the Southern California Regional Rail Authority primary (*) and alternate (**) members. The terms of appointments for SCRRRA members and alternates shall be concurrent with their term on SCRRRA. The four remaining members shall be SANBAG Board Members appointed by the SANBAG President for two-year terms.	Provides policy guidance and recommendations to the SANBAG Board of Directors and Southern California Regional Rail Authority delegates with respect to commuter rail service in San Bernardino County. * SCRRRA Primary Member ** SCRRRA Alternate Member	Pat Gilbreath, Redlands** (Chair) Paul Eaton, Montclair* (Vice Chair) Kelly Chastain, Colton Bea Cortes, Grand Terrace Neil Derry, Supervisor Larry McCallon, Highland Pat Morris, San Bernardino* John Pomierski, Upland Diane Williams, Rancho Cucamonga**	Indeterminate (6/30/2009) Indeterminate (6/30/2009) 12/31/2009 12/31/2010 12/31/2010 12/31/2010 Indeterminate 12/31/2009 Indeterminate
Mountain/Desert Committee Membership consists of SANBAG Board Members from each Mountain/Desert jurisdiction and County Supervisors representing the First and Third Districts.	Provides ongoing policy level oversight related to the full array of SANBAG responsibilities as they pertain specifically to the Mountain/Desert subregion. The Committee also meets as the Mountain/Desert Measure I Committee as it carries out responsibilities for Measure I Mountain/Desert Expenditure Plan.	Brad Mitzelfelt, Supervisor (Chair) Bill Jahn, Big Bear Lake (Vice Chair) Neil Derry, Supervisor Jim Harris, Twentynine Palms Mike Leonard, Hesperia Ryan McEachron, Victorville Julie McIntyre, Barstow William Neeb, Yucca Valley Trinidad Perez, Adelanto Rick Roelle, Apple Valley Jeff Williams, Needles	Indeterminate (6/30/2009) Indeterminate (6/30/2009) Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate Indeterminate

SANBAG Policy Committee Membership

COMMITTEE	PURPOSE	MEMBERSHIP	TERMS
<p>Major Projects Committee</p> <p>Membership consists of SANBAG Board Members from jurisdictions in the Valley and County Supervisors representing areas in the Valley.</p>	<p>Provides policy guidance and recommendations to the Board of Directors on issues related to the Measure I Major Projects in the Valley.</p>	<p>John Pomierski, Upland (Chair)</p> <p>Bea Cortes, Grand Terrace (Vice Chair)</p> <p>Paul Biane, Supervisor</p> <p>Kelly Chastain, Colton</p> <p>Neil Derry, Supervisor</p> <p>Paul Eaton, Montclair</p> <p>Pat Gilbreath, Redlands</p> <p>Josie Gonzales, Supervisor</p> <p>Larry McCallon, Highland</p> <p>Patrick Morris, San Bernardino</p> <p>Gwenn Norton-Perry, Chino Hills</p> <p>Mark Nuaimi, Fontana</p> <p>Gary Ovitt, Supervisor</p> <p>Richard Riddell, Yucaipa</p> <p>Rhodes "Dusty" Rigsby, Loma Linda</p> <p>Ed Scott, Rialto</p> <p>Alan Wapner, Ontario</p> <p>Diane Williams, Rancho Cucamonga</p> <p>Dennis Yates, Chino</p>	<p>Indeterminate (6/30/2009)</p> <p>Indeterminate (6/30/2009)</p> <p>Indeterminate</p> <p>Indeterminate</p> <p>Indeterminate</p> <p>Indeterminate</p> <p>Indeterminate</p> <p>Indeterminate</p> <p>Indeterminate</p> <p>Indeterminate</p> <p>Indeterminate</p> <p>Indeterminate</p> <p>Indeterminate</p> <p>Indeterminate</p> <p>Indeterminate</p> <p>Indeterminate</p> <p>Indeterminate</p> <p>Indeterminate</p>
<p>Plans & Programs Committee</p> <p>Membership consists of three city SANBAG Board Members from each of the West Valley, East Valley, and Mountain/Desert subregions and all County Supervisors.</p> <p>City members shall be elected by caucus of city SANBAG Board Members within the subarea.</p>	<p>Provides ongoing policy level oversight for:</p> <p>(1) State and federal funding and programming requirements and related actions;</p> <p>(2) Congestion Management Program, Comprehensive Transportation Plan, and input into the Regional Transportation Plans; and</p> <p>(3) Transit, Call Box, Rideshare, and Freeway Service Patrol programs.</p> <p>Committee has authority to approve contracts of up to \$25,000 with notification to Board of Directors</p>	<p>Mark Nuaimi, Fontana (Chair)</p> <p>Paul Eaton, Montclair (Vice Chair)</p> <p>Paul Biane, Supervisor</p> <p>Bea Cortes, Grand Terrace</p> <p>Neil Derry, Supervisor</p> <p>Josie Gonzales, Supervisor</p> <p>Bill Jahn, Big Bear Lake</p> <p>Larry McCallon, Highland</p> <p>Brad Mitzelfelt, Supervisor</p> <p>William Neeb, Yucca Valley</p> <p>Gary Ovitt, Supervisor</p> <p>Richard Riddell, Yucaipa</p> <p>Rick Roelle, Apple Valley</p> <p>Diane Williams, Rancho Cucamonga</p>	<p>12/31/2009 (6/30/2009)</p> <p>12/31/2010 (6/30/2009)</p> <p>Indeterminate</p> <p>12/31/2009</p> <p>Indeterminate</p> <p>Indeterminate</p> <p>12/31/2009</p> <p>12/31/2010</p> <p>Indeterminate</p> <p>12/31/2010</p> <p>Indeterminate</p> <p>12/31/2010</p> <p>12/31/2010</p> <p>12/31/2009</p>

Policy Committee Meeting Times

Administrative Committee
Commuter Rail Committee
Major Projects Committee
Mountain/Desert Committee
Plans & Programs Committee

SANBAG Policy Committee Membership

SANBAG Ad Hoc Committees

COMMITTEE	PURPOSE	MEMBERSHIP
Audit Subcommittee of the Administrative Committee In November 2008, the Board approved the creation of an Audit Subcommittee of the Administrative Committee to strengthen the financial oversight function of the Board. Additional SANBAG Board Members may be appointed annually at the discretion of the Board President.	The responsibilities of the Audit Subcommittee shall be to: <ul style="list-style-type: none"> • Provide a direct contact between the independent auditor and the Board of Directors before, during and after the annual audit. • Work with the auditor and SANBAG staff on reviewing and implementing practices and controls identified in the annual audit. 	Audit Subcommittee - SANBAG President – Gary Ovitt, Supervisor - Vice President – Paul Eaton, Montclair - Immediate Past President – Vacant - Presidential Appointment – Pat Gilbreath, Redlands
Ad Hoc Committee to Review Council of Government Roles In June 2006, the SANBAG President appointed the committee.	Reviews SANBAG activities and Board Member requests related to SANBAG's role as a Council of Governments.	Kelly Chastain, Colton (Chair) Dennis Hansberger, SBCO, representing East Valley and Mountain/Desert Josie Gonzales, SBCO, representing the East Valley John Pomierski, Upland, representing West Valley and recognizing his position as Major Projects Committee Chair Pat Morris, San Bernardino, representing the East Valley Paul Eaton, Montclair, representing the West Valley and recognizing his position as Plans & Programs Committee Chair Vacant - Jim Lindley, Hesperia, representing Mountain/Desert and recognizing his position as Mountain/Desert Committee Vice Chair.
Ad Hoc Committee on Litigation with San Bernardino County Flood Control District (Colonies Development) In January 2007, the SANBAG President was authorized to appoint an ad hoc review committee of SANBAG Board Members who do not represent local jurisdictions party to the San Bernardino County Flood Control District vs. SANBAG litigation relative to the Colonies Development	Reviews and provides guidance on litigation with San Bernardino County Flood Control District (Colonies Development).	Pat Morris, San Bernardino, Chair Mark Nuaimi, Fontana Pat Gilbreath, Redlands Richard Riddell, Yucaipa Larry McCallon, Highland

This list provides information on acronyms commonly used by transportation planning professionals. This information is provided in an effort to assist SANBAG Board Members and partners as they participate in deliberations at SANBAG Board meetings. While a complete list of all acronyms which may arise at any given time is not possible, this list attempts to provide the most commonly-used terms. SANBAG staff makes every effort to minimize use of acronyms to ensure good communication and understanding of complex transportation processes.

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ARRA	American Recovery and Reinvestment Act
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CMAQ	Congestion Mitigation and Air Quality
CMIA	Corridor Mobility Improvement Account
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CSAC	California State Association of Counties
CTA	California Transit Association
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DBE	Disadvantaged Business Enterprise
DEMO	Federal Demonstration Funds
DOT	Department of Transportation
EA	Environmental Assessment
E&D	Elderly and Disabled
E&H	Elderly and Handicapped
EIR	Environmental Impact Report (California)
EIS	Environmental Impact Statement (Federal)
EPA	Environmental Protection Agency
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds
MAGLEV	Magnetic Levitation

MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
NAT	Needles Area Transit
NEPA	National Environmental Policy Act
OA	Obligation Authority
OCTA	Orange County Transportation Authority
PA&ED	Project Approval and Environmental Document
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PNRS	Projects of National and Regional Significance
PPM	Planning, Programming and Monitoring Funds
PSE	Plans, Specifications and Estimates
PSR	Project Study Report
PTA	Public Transportation Account
PTC	Positive Train Control
PTMISEA	Public Transportation Modernization, Improvement and Service Enhancement Account
PUC	Public Utilities Commission
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
RSTIS	Regionally Significant Transportation Investment Study
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SAFETEA-LU	Safe Accountable Flexible Efficient Transportation Equity Act – A Legacy for Users
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SQAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SHA	State Highway Account
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
S RTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCIF	Trade Corridor Improvement Fund
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 st Century
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TSM	Transportation Systems Management
TSSDRA	Transit System Safety, Security and Disaster Response Account
USFWS	United States Fish and Wildlife Service
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments

San Bernardino Associated Governments



MISSION STATEMENT

To enhance the quality of life for all residents,
San Bernardino Associated Governments
(SANBAG) will:

- Improve cooperative regional planning
- Develop an accessible, efficient,
multi-modal transportation system
- Strengthen economic development
efforts
- Exert leadership in creative problem
solving

To successfully accomplish this mission,
SANBAG will foster enhanced relationships
among all of its stakeholders while adding
to the value of local governments.

Approved June 2, 1993
Reaffirmed March 6, 1996